

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



November 4, 2003

CSSIN LETTER: 03-18

ALL IV-D DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL BOARDS OF SUPERVISORS

SUBJECT: SUPPORT ORDERS BASED ON PRESUMED INCOME

Enclosed is the updated table for establishing Support Orders Based on Presumed Income which became effective August 11, 2003. The table should be used when seeking support orders based on presumed income of the obligor.

In the past, the Department of Child Support Services (DCSS) used the Minimum Basic Standard of Adequate Care (MBSAC) as developed by Department of Social Services for the California Work Opportunity and Responsibility to Kids (CalWORKs) program to calculate presumed income.

Recent legislation, Assembly Bill (AB 1752), Statutes of 2003, Chapter 255, has changed the basis of presumed income. This legislation establishes minimum wage full- time employment as the presumed income level for the purpose of establishing child support orders.

Pursuant to Family Code (FC) Section 17400(d)(2), the obligor's income shall be presumed to be the amount of the minimum wage, at 40 hours per week, as established by the Industrial Welfare Commission per Section 1182.11 of the Labor Code when the obligor's income or income history are unknown.

The enclosed table was prepared using the California Family Law Report (CFLR) DissoMaster Program. California's current minimum wage (\$6.75) was multiplied by 40 (average work hours per week). That figure (\$270) was then multiplied by 52 weeks (\$14,040) which was divided by 12 months to arrive at the figure of \$1,170.00. This figure is the basis for the obligor's monthly child support obligation.

Reason for this Transmittal

- ☒ [X] State Law or Regulation Change
☐ [] Federal Law or Regulation Change
☐ [] Court Order or Settlement Change
☐ [] Clarification requested by One or More Counties
☐ [] Initiated by DCSS



The enclosed chart is based on the following additional assumptions:

- Zero visitation for non-custodial parent
- Custodial parent income \$0
- No hardship deductions
- No additional child support obligations

If you have any questions regarding the table, please send those questions to the following email address: policy.branch@dcss.gov.ca

Sincerely,

DONNA S. HERSHKOWITZ
Deputy Director
Child Support Services Division

Enclosure

**DEPARTMENT OF CHILD SUPPORT SERVICES
SUPPORT ORDERS BASED ON PRESUMED INCOME
EFFECTIVE AUGUST 11, 2003**

CHILD SUPPORT AMOUNTS			
NUMBER OF CHILDREN IN THE ORDER	APPROXIMATE PRESUMED NCP INCOME PER MONTH	TOTAL AMOUNT ORDERED PER MONTH	AMOUNT PER CHILD, PER MONTH
1	\$1170	\$254	\$254
2	\$1170	\$406	\$152 \$254
3	\$1170	\$508	\$102 \$152 \$254
4	\$1170	\$584	\$76 \$102 \$152 \$254
5	\$1170	\$635	\$51 \$76 \$102 \$152 \$254
6	\$1170	\$667	\$32 \$51 \$76 \$102 \$152 \$254
7	\$1170	\$699	\$32 \$32 \$51 \$76 \$102 \$152 \$254

**DEPARTMENT OF CHILD SUPPORT SERVICES
SUPPORT ORDERS BASED ON PRESUMED INCOME
EFFECTIVE AUGUST 11, 2003**

CHILD SUPPORT AMOUNTS			
NUMBER OF CHILDREN IN THE ORDER	APPROXIMATE PRESUMED NCP INCOME PER MONTH	TOTAL AMOUNT ORDERED PER MONTH	AMOUNT PER CHILD, PER MONTH
8	\$1170	\$715	\$16 \$32 \$32 \$51 \$76 \$102 \$152 \$254
9	\$1170	\$723	\$8 \$16 \$32 \$32 \$51 \$76 \$102 \$152 \$254
10	\$1170	\$727	\$4 \$8 \$16 \$32 \$32 \$51 \$76 \$102 \$152 \$254

Minimum wage \$6.75 X 40 hours per week = \$270 X 52 weeks = \$14,040 ÷ by 12 months = \$1170 presumed monthly income

Chart is based on the following assumptions:

Zero visitation for NCP
CP income \$0
No hardship deductions
No additional child support obligations